

Application No. 10/035,954

Reply to Office Action mailed June 22, 2005

### **REMARKS/ARGUMENTS**

The applicant would like to acknowledge, with thanks, the Office Action mailed June 22, 2005. This amendment is responsive to the Office action mailed June 22, 2005.

Claim 5 was objected to for a typographic error. Accordingly, claim 5 has been amended to change 'forwarding...the home agent;' to 'forwarding...the home agent;' to remedy this defect. Claims 1, 5, 9, 17 and 19-20 have been amended to recite the source IP address of the registration (e.g. DHCP) request is set to 0. This is not new matter as it is described on page 9 lines 4-5 and on page 9 line 29 - page 10 line 1 of the original specification (see also ref 207 of Fig. 2A). Claims 6-8 and 18 have been cancelled. Therefore, claims 1-5, 9-17 and 19-20 are currently pending.

### **REJECTIONS UNDER 35 U.S.C. § 102**

Claims 1-4 stand rejected as being anticipated by U.S. Patent No. 6,856,624 to Magret (hereinafter Magret). Claim 1 has been amended and for reasons that will set forth below claims 1-4 as they now stand are not anticipated by Magret.

### **REJECTIONS UNDER 35 U.S.C. § 103**

Claims 5-20 stand rejected as being obvious based on the combination of Magret, RFC 1432 by W. Wimer (hereinafter Wimer) and U.S. Patent No. 6,058,421 to Fijolek et al. (hereinafter Fijolek). Claims 6-8 and 18 have been cancelled. Independent claims 5, 9, 17 and 19-20 have been amended. For reasons that will be set forth below, claims 5, 9-17 and 19-20 as they currently stand are not obvious based on Magret, Wimer, or Fijolek; alone or in any combination thereof.

### **RESPONSE TO REJECTIONS UNDER 35 U.S.C. § 102 AND 35 U.S.C. § 103**

By way of review, as described on page 4, lines 11-20, a problem with prior art systems was that when a mobile host boots on its home subnet, it can use DHCP to obtain a home IP address. However, when a mobile host boots on a foreign subnet, it cannot simply broadcast a DHCP request on the local subnet to obtain an IP address for

Application No. 10/035,954

Reply to Office Action mailed June 22, 2005

its home subnet. Therefore, a mobile host without an IP address cannot use mobile IP to forward a DHCP request to a DHCP server on its home subnet because it does not have a home IP address. An aspect of the present invention provides a solution to this problem.

Independent claims 1, 5, 9, 17 and 19-20 as currently amended recite that a registration (or DHCP) request is sent with a field containing the MAC address of the mobile host, and the source IP address of 0. By contrast, Magret discloses that as a mobile node arrives at a foreign site and seeks to register with its home agent, it transmits a registration request including its private IP address (which would be non-zero) to the foreign agent (col. 5, lines 62-66). The foreign agent determines whether another mobile node shares the same private IP address (col. 5, line 66-col. 6 line 2). If another mobile node shares the same private IP address, the foreign agent sends a registration reply requesting the mobile node use a temporary address, which is sent along with the registration request to the mobile node's home agent (col. 6 lines 3-9).

Thus, claims 1, 5, 6, 9, 17, 19-20 can be distinguished from Magret because unlike Magret, the mobile node making a registration (DHCP) request does not yet have an IP address and thus does not transmit a private IP address to the foreign agent. Furthermore, the IP address is assigned by the DHCP server on the home subnet, whereas in Magret the foreign agent gives the mobile node a temporary address, which is also sent to the mobile node's home agent.

The aforementioned deficiencies in Magret are not remedied by any teaching of Wimer or Fijolek. Wimer, which the examiner relies on to teach that the DHCP request has a giaddr field and a protocol field; obtaining the MAC address of the mobile host from the chaddr field in the BOOTP header and inserting the BOOTP relay agent IP address into the giaddr field of the BOOTP header, clarifies aspects of the BOOTP protocol. Fijolek, which the examiner relies on for setting the giaddr field to 0 is for a method and system to discover an address of a network host interface on a cable television network to connect a cable modem to the network.

Claims 2-4 are directly dependent from claim 1 and thus contain each and every element of claim 1. Therefore, for the reasons already set forth for claim 1, claims 2-4 are also not anticipated or obvious in view of Magret, Wimer and Fijolek, alone or in any

Application No. 10/035,954

Reply to Office Action mailed June 22, 2005

combination thereof.

Claims 7-8 are directly dependent from claim 6 and thus contain each and every element of claim 1. Therefore, for the reasons already set forth for claim 6, claims 7-8 are also not anticipated or obvious in view of Magret, Wimer and Fijolek, alone or in any combination thereof.

Claims 10-16 are directly dependent from claim 9 and thus contain each and every element of claim 1. Therefore, for the reasons already set forth for claim 9, claims 10-16 are also not anticipated or obvious in view of Magret, Wimer and Fijolek, alone or in any combination thereof.

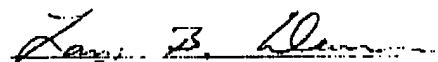
Claim 18 is directly dependent from claim 17 and thus contains each and every element of claim 1. Therefore, for the reasons already set forth for claim 17, claim 18 is also not anticipated or obvious in view of Magret, Wimer and Fijolek, alone or in any combination thereof.

#### CONCLUSION

For the reasons just set forth, claims \_\_\_\_ are not anticipated or obvious based on the cited prior art; therefore the applicant requests withdrawal of these rejections. If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0902, referencing our Docket No.

Respectfully submitted,  
TUCKER, ELLIS & WEST

Date: 9-21-2005

  
Larry B. Donovan  
Registration No. 47,230  
1150 Huntington Building  
925 Euclid Avenue  
Cleveland, Ohio 44115-1475  
Customer No. 23380  
(216) 696-3864 (phone)  
(216) 592-5009 (fax)